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January 5, 2024

By ECF

The Honorable Kenneth M. Karas
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *United States v. David Peres*, No. 23 Cr. 194 (S.D.N.Y.)

Your Honor:

With the consent of the government, I write to request a ninety-day adjournment of sentencing. On December 8, 2023, the Court appointed me to replace Deveraux Cannick as Mr. Peres's counsel. Over the past few weeks, I have been getting up to speed on the case and on Mr. Peres's complicated medical history. I am working with the government and prior counsel to obtain up-to-date medical notes, which is taking some time. In addition, because of the recent change in counsel, we have not conducted the presentence interview.¹ Accordingly, Mr. Peres respectfully asks the Court to adjourn sentencing for ninety days and to move the PSR disclosure dates accordingly.

I have conferred with AUSA Benjamin Klein, who advises me that the government has no objection to this request.

Granted. Sentence is adjourned to 4/ 2 /24, at 11:00

Respectfully submitted,



/s/ Ezra Spilke

So Ordered

1/5/24

cc: All counsel of record, by ECF
Nichole Brown-Morin, USPO, by email

¹ The Court has already authorized Probation to conduct the interview telephonically. Dkt. 49. Although I have been able to speak with Mr. Peres several times, I have been unable to schedule a visit with him in person. This is perhaps due the holidays in addition to the fact that Mr. Peres is housed at a nursing home, and not in BOP custody. The government is actively assisting me in scheduling in-person visits with the Marshals, and we are hopeful that the parties will be able to find a solution. If the parties encounter future challenges, counsel may request the Court's assistance, which the parties are not requesting at this time.